

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	: SIPA LIQUIDATION
BERNARD L. MADOFF INVESTMENT SECURITIES	: Index No. 08-01789
LLC,	: (BRL)
	:
Debtor.	:
	:
IRVING H. PICARD, Trustee for the Liquidation of	: Adv. Pro. No. 10-04283
Bernard L. Madoff Investment Securities LLC,	: (BRL)
	:
Plaintiff,	:
	:
- against -	:
	:
STEVEN B. MENDELOW, NTC & Co. LLP, as former	:
custodian of an Individual Retirement Account for the	:
benefit of STEVEN B. MENDELOW, NANCY	:
MENDELOW, NTC & Co. LLP as former custodian of	:
an Individual Retirement Account for the benefit of	:
NANCY MENDELOW, CARA MENDELOW, PAMELA	:
CHRISTIAN, C&P ASSOCIATES, LTD.,	:
and C&P ASSOCIATES, INC.,	:
	:
Defendants.	:
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**AFFIRMATION OF MICHELLE A. RICE**

I, Michelle A. Rice, Esq., an attorney admitted to practice before the Courts of the State of New York, affirm under penalty of perjury as follows:

1. I am a member of Arkin Kaplan Rice, LLP, attorneys for defendant Steven Mendelow, in the above-captioned matter. I respectfully submit this Affirmation In Support of Defendant Steven B. Mendelow's Sur-Reply Memorandum of Law in Support

of His Motion for the Enforcement of the Automatic Stay and for a Preliminary Injunction.

2. Attached as Exhibit A is a true and correct copy of the complaint in *Picard v. Warshaw et al.*, Adv. Pro. No. 01092-2012 (BRL) (Bankr. S.D.N.Y. February 23, 2012).

3. Attached as Exhibit B is a true and correct copy of the Trustee's Memorandum of Law in Support of Trustee's Application for Enforcement of Automatic Stay and Preliminary Injunction in *Picard v. Warshaw et al.*, Adv. Pro. No. 01092-2012 (BRL) (Bankr. S.D.N.Y. February 23, 2012).

4. Attached as Exhibit C is a true and correct copy of the Transcript of Oral Argument on Steven Mendelow's Application for a Temporary Stay, dated January 4, 2012, in *Warshaw, et al. v. Mendelow, et al.*, No. 652173/2010 (Sup. Ct., N.Y. County, February 17, 2011).

Dated: New York, New York  
March 8, 2012

/s/ Michelle A. Rice

Michelle A. Rice